

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹

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HON. WANDA VÁZQUEZ GARCED et al.,

Plaintiffs,

Adv. Proc. No. 20-080-LTS

-v-

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

Defendant.

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HON. WANDA VÁZQUEZ GARCED et al.,

Plaintiffs,

Adv. Proc. No. 20-082-LTS

-v-

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Defendant.

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HON. WANDA VÁZQUEZ GARCED et al.,

Plaintiffs,

Adv. Proc. No. 20-083-LTS

-v-

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

Defendant.

-----x
HON. WANDA VÁZQUEZ GARCED et al.,

Plaintiffs,

Adv. Proc. No. 20-084-LTS

-v-

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

Defendant.

-----x
HON. WANDA VÁZQUEZ GARCED et al.,

Plaintiffs,

Adv. Proc. No. 20-085-LTS

-v-

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

Defendant.

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ORDER TO SHOW CAUSE REGARDING DISMISSAL OF REMAINING CLAIMS AND COUNTERCLAIMS

In light of the entry of the Court's *Opinion and Order Denying the Government's Motions for Summary Judgment and Granting in Part the Oversight Board's Motions for Summary Judgment* (the "Summary Judgment Opinion"), whereby the Court enjoined implementation and enforcement of the legislative enactments at issue in each of the above-captioned adversary proceedings on various grounds, the parties to the above-captioned adversary proceedings are hereby ordered to show cause in writing as to why the Court should not dismiss as moot or otherwise for lack of subject matter jurisdiction, (i) in Adversary

Proceeding No. 20-00080, Count II of the Act 82 Complaint and Act 82 Counterclaims I, III, IV, and V (Docket Entry Nos. 1 and 5); (ii) in Adversary Proceeding No. 20-00082, Count II of the Act 138 Complaint and Act 138 Counterclaims I and III (Docket Entry Nos. 1 and 5); (iii) in Adversary Proceeding No. 20-00083, Count I of the Act 176 Complaint and Act 176 Counterclaims I and II (Docket Entry Nos. 1 and 6); (iv) in Adversary Proceeding No. 20-00084, Counts I and II of the Act 181 Complaint, as well as Act 181 Counterclaims I, II, III, and V (Docket Entry Nos. 1 and 6); and (v) in Adversary Proceeding No. 20-00085, Count I of the Act 47 Complaint, as well as Act 47 Counterclaims I and II (Docket Entry Nos. 1 and 5).²

The Oversight Board is directed to file a written submission responding to this Order by **January 4, 2021, at 5:00 p.m. (Atlantic Standard Time)**.

The Government is thereafter directed to file a written response by **January 11, 2021, at 5:00 p.m. (Atlantic Standard Time)**.

The parties may not use this opportunity to advance any arguments that are either outside the scope of the issues presented above or to repeat arguments that were previously raised in connection with the motion practice. Counsel for the parties are encouraged to confer with each other in advance of the submissions in an effort to clarify the manner in which the issues will be addressed.

SO ORDERED.

Dated: December 23, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

² Capitalized terms not defined herein have the meanings given to them in the Summary Judgment Opinion.